

DEC-18-2007 15:35

P.003

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

UP TO \$6,100,000 ON DEPOSIT IN  
ACCOUNT NO. 15.5876 AT BANK JULIUS  
BAER CO. LTD (GUERNSEY BRANCH);  
AND

UP TO \$3,651,339 ON DEPOSIT IN  
ACCOUNT NO. 15.5568 AT BANK JULIUS  
BAER CO. LTD (GUERNSEY BRANCH),

Defendants in Rem.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/19/07

STIPULATION AND ORDER

07 Civ. 04430 (RJS)

WHEREAS, in a Stipulation and Order filed November 8, 2007, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, the Government and the claimant Ajaz Rahim (the "Claimant") agreed that Claimant's time to Answer the Verified Complaint shall be extended, and the discovery period shall be stayed, pending either a conviction at trial or a guilty plea as to co-defendant Naseem in the Related Criminal Case, assuming the trial began as scheduled on or about December 10, 2007;

WHEREAS, trial began on December 10, 2007, but ended in a mistrial on or about December 11, 2007. The re-trial is set to commence on January 14, 2008;

WHEREAS, in light of the mistrial and the fact that the case will be re-tried shortly, the Government and the Claimant respectfully request that the Court extend the terms of the November 8, 2007 Stipulation and Order as set forth below;

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff United States of America, by its attorney, Michael J. Garcia, United States Attorney for the Southern District

DEC-18-2007 15:37

P.003

of New York, Barbara A. Ward, Assistant United States Attorney, of counsel, and the Claimant, Ajaz Rahim, by his attorney, Jay K. Musoff, Esq., that the Claimant's time to Answer the Verified Complaint may be extended, and the discovery period shall be stayed, pending either a conviction at trial or a guilty plea as to Naseem in the Related Criminal Case, assuming the trial begins as scheduled on or about January 14, 2008.

**CONSENTED AND STIPULATED TO:**

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: Barbara A. Ward  
BARBARA A. WARD  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
Tel: 212-637-1048

By: Jay K. Musoff  
JAY K. MUSOFF  
666 Fifth Avenue  
New York, New York 10103  
Tel: 212-506-5000

Attorney for the Plaintiff,  
The United States of America

Attorneys for the Claimant,  
Ajaz Rahim

**IT IS SO ORDERED.** Claimant Ajaz Rahim's time to Answer the Verified Complaint shall be extended, and the discovery period shall be stayed, pending either a conviction at trial or a guilty plea as to co-defendant Naseem in the Related Criminal Case, assuming the trial begins as scheduled on or about January 14, 2008.

**IT IS FURTHER ORDERED** that the parties shall notify the Court in writing regarding the status of the Related Criminal case on or before February 1, 2008.

Dated: New York, New York  
December 19, 2007

Richard J. Sullivan  
HONORABLE RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE